

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Chairman;
Tony Hammond, Vice Chairman;
Mark Acton; and
Nanci E. Langley

Competitive Product Prices
International Business Reply Service Competitive
Contract 3 (MC2011-21)
Negotiated Service Agreements

Docket No. CP2016-152

ORDER GRANTING MOTION FOR TEMPORARY RELIEF

(Issued June 28, 2018)

The negotiated service agreement approved in this proceeding (Existing Agreement) is set to expire June 30, 2018.¹ On June 22, 2018, the Postal Service filed a motion for temporary relief seeking to extend the expiration date of the Existing Agreement.²

The Postal Service states that it is in the process of negotiating with the customer a possible successor to the Existing Agreement. Motion at 1. The Postal Service sent

¹ See Order Approving Modification Two to International Business Reply Service Competitive Contract 3 Negotiated Service Agreement and Denying as Moot Motion for Temporary Relief, May 24, 2018, at 3 (Order No. 4620).

² Motion of the United States Postal Service for Temporary Relief Concerning Modification Three to International Business Reply Service Competitive Contract 3 Negotiated Service Agreement, June 22, 2018 (Motion).

a modification to the customer that would extend the Existing Agreement until July 31, 2018. *Id.* The Postal Service states that it will file that modification in this docket soon. *Id.* To maintain continuity of pricing, the Postal Service requests that the Commission continue to list the Existing Agreement in the Mail Classification Schedule through July 31, 2018. *Id.*

The imminent filing of a modification suggests a good faith effort on the part of the Postal Service to avoid relying on motions for temporary relief as a standard practice, in keeping with Commission guidance.³ The Commission notes, however, that the Motion does not indicate when the modification was sent to the customer or when the Commission can expect the modification to be filed with the Commission. Furthermore, this is the second time in two months that the Postal Service has not been able to timely submit a modification in this docket to extend the contract. The Commission reminds the Postal Service of the importance of regular order and timely filings.

This brief extension will not impair the ability of the Existing Agreement to comply with 39 U.S.C. § 3633, will avoid disruption in contract administration, and will not prejudice any person. Consequently, the Existing Agreement is modified to continue until July 31, 2018.

The Postal Service shall promptly file notice with the Commission if the Existing Agreement is terminated prior to the revised expiration date.

It is ordered:

1. The Motion of the United States Postal Service for Temporary Relief Concerning International Business Reply Service Competitive Contract 3 Negotiated Service Agreement, filed June 22, 2018, is granted.

³ See Docket No. CP2012-38, Order Granting Second Motion for Temporary Relief, August 26, 2015, at 2 (Order No. 2685) (urging the Postal Service to use contract extensions only in limited circumstances and not as a standard practice).

2. The Commission approves an extension of the Existing Agreement until July 31, 2018.
3. The Mail Classification Schedule will continue to list the Existing Agreement according to the terms set forth in this Order.
4. The Postal Service shall promptly file notice of the termination of the Existing Agreement if such termination occurs prior to the revised expiration date.

By the Commission.

Stacy L. Ruble
Secretary